



## **MARYLAND HEALTH BENEFIT EXCHANGE**

**Regulations Update  
Exchange Board Meeting  
August 14, 2012**

# Regulations Subject Areas

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- Individual Exchange Navigator Certification Process
- Insurance Producer Authorization Process
- Call Center Establishment
- Fraud, Waste and Abuse Program Establishment
- Eligibility and Enrollment Verification
- Framework Regulations
- Appeals and Grievances

# **Individual Exchange Navigator Certification**

- Description of Individual Exchange Navigators Certification eligibility requirements, application process, training standards, renewal and reinstatement procedures, continuing education requirements, and causes for deactivation and revocation of certification
- Drafted, presented and discussed with Navigator Program Advisory Committee
  - Provided an overview at the kick-off meeting on July 18<sup>th</sup>
  - Presented the Exchange's recommendations on July 30<sup>th</sup>
  - Discussed the recommendations on August 6<sup>th</sup>
  - Accepted committee feedback until August 10<sup>th</sup>
- Posted on Exchange website for public comment; seeking public comment through August 30<sup>th</sup>

## **Next Steps**

- Will be presented to the Board for preliminary review at next Board meeting
- Proposed regulations will presented to Board for final approval at October Board meeting

# **Insurance Producer Authorization**

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- Description of Insurance Producer Authorization eligibility requirements, application process, training standards, renewal and reinstatement procedures, continuing education requirements, and causes for revocation of authorization
- Drafted, presented and discussed with Navigator Program Advisory Committee
  - Provided an overview at the kick-off meeting on July 18<sup>th</sup>
  - Presented the Exchange's recommendations on July 30<sup>th</sup>
  - Discussed the recommendations on August 6<sup>th</sup>
  - Accepted committee feedback until August 10<sup>th</sup>
- Posted on Exchange website for public comment; seeking public comment through August 30<sup>th</sup>

## **Next Steps**

- Will be presented to the Board for preliminary review at next Board meeting
- Proposed regulations will presented to Board for final approval at October Board meeting

## **Call Center Establishment & Fraud, Waste and Abuse Program Establishment**

### **Call Center Establishment**

- A statement indicating that the Exchange shall establish a call center
- Drafted and ready for public comment

#### **Next Steps**

- To be posted on Exchange website for public comment on August 29<sup>th</sup>
- Presented to Board for preliminary review at October Board meeting

### **Fraud, Waste and Abuse Program Establishment**

- A statement that the Exchange shall establish a Fraud, Waste & Abuse Prevention and Detection Program that will comply with all Affordable Care Act and Maryland Health Benefit Exchange Act of 2012 requirements
- Drafted and ready for public comment

#### **Next Steps**

- To be posted on Exchange website for public comment on August 29<sup>th</sup>
- Presented to Board for preliminary review at October Board meeting

# **Eligibility Verification & Framework Regulations**

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## **Eligibility Verification**

- A high-level description of the systems the Exchange will use to verify an applicant's eligibility for medical assistance, advanced premium tax credits, cost-sharing reductions, and qualified plan enrollment
- Drafted, seeking agency input

## **Next Steps**

- To be posted on Exchange website for public comment on August 29<sup>th</sup>
- Presented to Board for preliminary review at October Board meeting

## **Framework Regulations**

- A statement explaining that the Exchange will follow the Affordable Care Act and pursuant regulations
- Drafted and ready for public comment

## **Next Steps**

- To be posted on Exchange website for public comment on August 29<sup>th</sup>
- Presented to Board for preliminary review at October Board meeting

# Appeals and Grievances

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- The Exchange has started discussion on this topic with partner agencies, and has upcoming meetings to further develop the appeals and grievances process
  - Meeting of state lawyers to discuss the appeals and grievances process and policy – August 10<sup>th</sup>

## Next Steps

- Awaiting further guidance from CMS (scheduled to be released by the end of August)
- Agency input into the process is due by October 1<sup>st</sup>
- Seek public comment from mid October to mid November
- Draft regulations presented to Board at December Board meeting

Maryland Health Benefits Exchange  
Regulations Development Timeline

Subject Areas Requiring Regulations and Regulation Promulgation Milestones																
Pre-work						Board/ Attorney General Approval					Formal Regulations Process					
Subject Area	Agency Required to Draft Regulations	Description of Regulation Content	Regulations Outline Ready for Interagency Workgroups, Advisory Committees Input	Interagency Workgroup / Advisory Committee Input Due	Public Comment Solicitation Period	Proposed Regulations Ready for Preliminary Board Review	Board Provides Feedback on Proposed Regulations at Board Meeting	Proposed Regulations Ready for Legal Review by Agency Attorney General	Proposed Regulations Ready for Board Approval	Board Approves Proposed Regulations at Board Meeting	Proposed Regulations Submitted to Senate Finance and House HGO Committees	Proposed Regulations Submitted to AELR	Proposed Regulations Submitted to Maryland Register	Proposed Regulations Published in Maryland Register	Public Comment and Public Hearings Period	Proposed Regulations Adopted by the Exchange
Call Center	MHBE	List of tasks the call center will perform and an explanation that the call center will follow all functions and requirements stated in the ACA and the final federal rule on exchanges	6/15/2012	8/15/2012	8/29/2012-9/19/2012	10/2/2012	10/9/2012	11/1/2012	11/6/2012	11/13/2012	11/28/2012	11/28/2012	12/28/2012	1/11/2013	1/11/2013-2/11/2013	2/25/2013
Eligibility Determination & Verification	MHBE	Description of eligibility determination and verification processes related to the collection of data and identifying information	6/15/2012	8/15/2012	8/29/2012-9/19/2012	10/2/2012	10/9/2012	11/1/2012	11/6/2012	11/13/2012	11/28/2012	11/28/2012	12/28/2012	1/11/2013	1/11/2013-2/11/2013	2/25/2013
Navigators	MHBE	Description of Individual Navigators Certification Requirements and Renewals	5/30/2012	7/15/2012	7/31/2012-8/21/2012	9/4/2012	9/11/2012	10/1/2012	10/9/2012	10/16/2012	10/29/2012	10/29/2012	11/29/2012	12/14/2012	12/14/2012-1/14/2013	1/29/2013
Appeals & Grievances (other than QHP certification appeals)	MHBE	Description of the appeals and grievances procedures for: individuals; navigators; insurance producers; and SHOP employees and employers	8/1/2012	10/1/2012	10/22/2012-11/12/2012	12/4/2012	12/11/2012	1/1/2013	1/8/2013	2/12/2013	2/19/2013	2/19/2013	3/19/2013	4/5/2013	4/5/2013-5/5/2013	5/20/2013
Producers Authorization	MHBE	Description of Producers Authorization requirements and renewal process for the SHOP and Individual Exchanges	5/30/2012	7/15/2012	7/31/2012-8/21/2012	9/4/2012	9/11/2012	10/1/2012	10/9/2012	10/16/2012	10/29/2012	10/29/2012	11/29/2012	12/14/2012	12/14/2012-1/14/2013	1/29/2013
Fraud, Waste & Abuse Program	MHBE	A statement that the Exchange shall establish a Fraud, Waste & Abuse Prevention and Detection Program	6/1/2012	8/15/2012	8/29/2012-9/19/2012	10/2/2012	10/9/2012	11/1/2012	11/6/2012	11/13/2012	11/28/2012	11/28/2012	12/28/2012	1/11/2013	1/11/2013-2/11/2013	2/25/2013
Broad, Framework Regulation	MHBE	A statement that the Maryland Health Benefit Exchange will follow the ACA and all pursuant regulations	6/1/2012	8/15/2012	8/29/2012-9/19/2012	10/2/2012	10/9/2012	11/1/2012	11/6/2012	11/13/2012	11/28/2012	11/28/2012	12/28/2012	1/11/2013	1/11/2013-2/11/2013	2/25/2013